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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

DOUG FREDERICK as personal
representative of the estate of
Edeltraud Kron,

Plaintiff,

vs.

BILLINGS PARTNERS, LLC,
d/b/a Canyon Creek Memory Care,

Defendant.

CV-21-07-BLG-SPW-TJC

**COMPLAINT
AND
JURY DEMAND**

Federal Jurisdiction

1. Plaintiff is a citizen of the State of Montana.
2. Defendant is a citizen of the State of Washington.
3. The amount in controversy exceeds \$75,000.00

Venue

4. This is a complaint for wrongful death. The decedent, Edeltraud Kron resided in Yellowstone County at the time of her death. Yellowstone County is in the Billings division of the U.S. District Courts of Montana.

Plaintiff Alleges:

5. Edeltraud Kron was a resident of Defendant's facility located at 1785 Majestic Lane in Billings, Montana. She resided there from 9/30/2017 to 1/29/2020.
 6. Edeltraud Kron died on January 29, 2020.
 7. Edeltraud Kron needed assistance with her oral hygiene. Family members had communicated with staff on many occasions that Edeltraud Kron would not brush her teeth unless staff put toothpaste on her toothbrush and handed her the toothbrush.
 8. By November of 2019, Edeltraud Kron's oral hygiene had deteriorated to the point she was losing her teeth and had mouth infections. In December, Edeltraud Kron had six (6) teeth extracted and was limited to eating soft foods.
- Defendant did not comply with providing Edeltraud Kron soft foods. In October of 2019, Edeltraud Kron weighed 126 lbs., in the

range of her normal weight. By the time she died on January 29, 2020 she weighed 105 lbs.

9. From September of 2019, Edeltraud Kron had almost constant urinary tract infections.

10. On January 20th, 2020 Edeltraud Kron's chart contained an entry that her urine glucose level was ">1000". She did not receive any medical care for this condition. On January 20th, 2020, Edeltraud Kron's chart entry noted that her blood sugar level was "HI".

On January 27th, two days before her death, Edeltraud Kron's chart contained an entry that her fasting blood glucose level was 530 at 9:00am and at 12:30pm was 535. By January 27th, Edeltraud Kron was in serious pain, severely dehydrated and started having seizures.

11. The aforesaid events, among others, indicated that Defendant's facility was negligent in the care of Edeltraud Kron, especially during the last five (5) months of her life. This negligent care was the legal cause of her death on January 29th, 2020.

12. Edeltraud Kron is survived by the following children:

Gerhard Kron
1111 Bay Road
Palo Alto, CA 94303

Rita Kron Stortz
317 Sunset Avenue
Glendive, MT 59330

Claudia Kron Frederick
864 Eagle Pointe
Montgomery, TX 77316

Kenny Kron
9542 East 98th Street South
Tulsa, OK 74120

Heidi Kron Gauthier
848 Lode
Helena, MT 59601

Jody Kron Knoll
320 Sunset Avenue
Glendive, MT 59330

13. Edeltraud Kron's children bring this lawsuit to recover the survivorship and wrongful death compensation allowed under Montana law.

Relief Requested

1. For all the compensatory damages allowed under Montana law for the claim for Wrongful Death and Survivorship, in excess of \$75,000.00.
2. For costs of suit.
3. For such other relief as the Court deems proper.
4. Plaintiff demands trial by jury.

DATED this 25th day of January, 2021.

/s/ Torger Oaas
TORGER OAAS
Counsel for Plaintiff